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THE UNIONIZATION AND GOVERNANCE OF HIGHER EDUCATION

REPORT

Fred E. Crossland → author  
The Ford Foundation  
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First come the conclusions. During the last quarter of this century, faculty unionization in American higher education will continue to increase significantly. Most notable will be the growth of collective bargaining in the public colleges and universities, but the rapidly shrinking private sector of higher education also will tag along. At some date in the not too distant future, faculty unionization and collective bargaining will be the national norm. It will never be universal, but it will become dominant.

In order to maximize effectiveness, single-campus union locals will merge into larger bargaining units. The tendency will be to form statewide faculty unions representing statewide higher education systems. At the same time there will be strong pressures to broaden the basis for membership in bargaining units. Although they may continue to be referred to as "faculty unions," in fact they will include librarians, a vast array of "non-teaching professionals" (registrars, admissions officers, student personnel and guidance people, computer programmers, laboratory technicians, and the like), and a number of persons who now are commonly considered second- and third-level educational administrators. Classroom teachers may very well become minorities within their own unions.

Meanwhile at the national level, the big three faculty organizers -- the American Association of University Professors, the American Federation of Teachers, and the National Education Association -- gradually will end their well-publicized and acrimonious struggles for hegemony and work out accommodations that would be unthinkable today. It is probable that a single national union of university professors

ultimately will emerge. Very likely it will have a long and cumbersome name that incorporates traces of groups swallowed up in mergers. Following a familiar pattern, the single national union probably will be a reasonably cohesive federation of state unions of varying sizes and influences.

All of these predicted developments during the coming quarter century ultimately will have some modest effect upon the governance of colleges and universities. This will be manifest in two distinct respects: within each campus community itself, and especially in the external relations of the campus (or the statewide system of campuses).

Effective faculty unionization will tend to tilt the balance of power on campus away from presidents, chancellors, and deans. They certainly will not become impotent, but they may become more administrators than possessors of true executive power. Rather than initiate basic institutional policies, their prime function probably will be to carry out the terms of union contracts. It is likely (as will be suggested below) that these campus administrators will have virtually no effective role to play in the negotiation of union contracts.

The gainers in this shift of campus power will be the faculty -- not individual faculty members, but the collective faculty. Indeed, the individual professor in the future is likely to find himself under stricter discipline by his union than today's typical college teacher who ordinarily "negotiates" on a free-wheeling, one-to-one basis with colleagues, department chairmen, deans, and presidents. Many of the current mechanisms for faculty participation in running colleges and universities -- senates, countless committees, and the like -- probably will remain, but they may become shadow governments without much substance. In some cases, local union

leadership may gain sufficient representation on the traditional faculty governance bodies to dominate them; then those agencies very likely will become redundant.

Governance changes external to the campus probably will be much more profound during the remainder of this century. Three related trends seem likely, and each will have the effect of reducing local institutional autonomy. One will be the power of, and discipline exercised by, the leadership of state and national unions; ordinarily, these will be professional labor executives long removed from campus experience. There obviously will be times when overall union policy may be in conflict with the best interests of the faculty of an individual college or university. Various practical accommodations undoubtedly will have to be worked out, but the inherent collectivist orientation of unionism suggests that "the greatest good for the greatest number" will prevail and hence that individual institutional objectives will be subordinated.

A second manifestation of the same trend will be evident on the management side. Statewide systems of public colleges and universities will grow in power and influence at the expense of local campuses. Pressures for efficiency, orderliness, nonduplication of services, standardization, and even for equity of access to higher education will combine to enhance the powers of statewide coordinating boards and to diminish the real authority of local institutional boards of trustees. Here again, systemwide decisions will be made that may or may not be beneficial to particular units within that system.

The third illustration of power flowing away from individual colleges and universities will be the increasingly direct involvement of political agencies in the governance of higher education. This will be particularly true at the state level,

where legislatures in effect will become participants in contract negotiations with statewide unions representing statewide systems of public higher education. Although the formal negotiator for management more often than not will be an arm of the governor's administration (for example, a public employees' relation board or a similar agency) in fact the legislature will have to provide the appropriations that will give meaning to the contract. It is safe to predict that the lawmakers (and money providers) of the future will be tempted to look ever more closely into all aspects of college and university operations. Inevitably this will raise the specter of loss of academic freedom and undue politicization of higher education.

All of these prospects for the future will be viewed by some educators as near calamitous; many of them no doubt will step up their efforts to ensure that such a future will not come about. Others, equally convinced of their own rectitude, will consider these prospects ideal and long overdue; no doubt those enthusiasts will redouble their efforts to hasten the day. Whether or not the result will be a community of higher learning that is better or worse, more or less responsive, or of improved or diminished quality depends upon definitions and upon the nature of future trade-offs to effect gains here at the expense of losses there.

The foregoing predictions are well-hedged. In almost all cases, they merely are projections of what has been, and still is, taking place. Now that these roughly sketched prospects have been recorded, it is appropriate to spell out their bases -- that is, to recount briefly recent and current patterns in the development of faculty unionization and of campus governance.

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Today perhaps as many as 25 percent of America's full-time faculty members are employed at colleges and universities where there are certified bargaining agents. That is a substantial achievement for a movement that is barely a decade old, and it should not be dismissed lightly.

Reportedly, the first institution was unionized in 1963; it was the Milwaukee Technical Institute, a public two-year school organized by a local faculty association. The first four-year institution to be unionized was the United States Merchant Marine Academy; this was accomplished by the American Federation of Teachers in 1966. Since then, the growth of the movement has been remarkable.

As of April 1975, there were 261 bargaining agents representing an estimated 93,900 faculty members (both full- and part-time) at 380 college campuses. Fifty-two of the 261 were in negotiation and had not yet consummated their first contracts. The 209 contracts in force covered 328 campuses. Approximately five sixths of all this activity was taking place at public institutions; only one sixth was at private colleges and universities. About two thirds was at two-year and one third at four-year institutions. Taken together, nearly 15 percent of all of American higher education's faculty has been unionized in about ten years.

Evidence suggests that observers are both wrong and short-sighted if they consider all this to be a passing fad, a temporary nuisance or blessing, or a transient aberration. Unreconstructed critics assuredly are mistaken if they view it as a sinister symbol of cultural decline and social disintegration that must and will disappear. By the same token, fervid union advocates have no basis for claims that collective bargaining will solve all of academe's problems, or that the movement is about to engulf American higher education in an organizing wildfire.

The likely future almost certainly will fall somewhere between the extreme predictions. Unionization of American higher education will continue to grow, probably in erratic fashion. The pace will be determined by such obvious considerations as the health of the general economy, inflationary pressures, and the extent of successes enjoyed by other segments of organized labor, especially elementary and secondary school teachers.

Other factors may be closely related to higher education itself. For example, the prospect of enrollment contraction at many institutions may stimulate organizing movements to forestall staff layoffs. There probably will be occasions when competing segments of higher education (for example, two-year community colleges, major research universities, or liberal arts colleges) will resort to defensive unionizing in order to assure themselves larger slices of the public appropriation pie.

Extremely important in stimulating the growth rate and the shape of future unionization in higher education will be the actions taken by the states and by the national government to extend bargaining rights to public employees. It was noted above that most higher education unionization has been in the public colleges and universities; it also has been concentrated in the half dozen or so states (New York, Michigan, New Jersey, Washington, Illinois, and Wisconsin) where union traditions are strong and legislation is favorable. If and when more states pass similar enabling legislation, the pace of organizing activity on their public campuses almost inexorably will step up. And when statewide public college and university systems become unionized, many nearby private institutions will be impelled to follow suit.

Thus far, federal involvement in faculty unionization has been limited to the 1970 ruling by the National Labor Relations Board asserting its jurisdiction over

private institutions of higher learning with annual gross revenues of more than \$1 million. For a number of years, however, some members of Congress have been advocating federal legislation extending collective bargaining rights to all non-federal public employees not now covered by state legislation. Although such Congressional action is by no means assured, the very prospect may encourage wavering state legislatures to take action themselves and try to preclude federal intervention.

All in all, it seems reasonable to assume that some of the more populous states will take legislative action and that faculty collective bargaining will grow at least as much in the next decade as it has in the last. If such should occur, by the mid-eighties the movement could be at a crucial point. There then would be certified bargaining agents at nearly a third of America's campuses representing up to half of the full-time professoriate. That prospect invites speculation about the possibility that the entire American higher education system (if such in fact exists) might "go union." Is there some point at which faculty bargaining becomes the pattern for the entire enterprise? Is it reached when a third, a half, or more of all college faculty members are unionized? And at such a point, will there be a rapid and irreversible trend toward virtual total unionization throughout higher education?

These questions are unanswerable at this point. Earlier experiences in other fields of endeavor, however, suggest that they may not be totally fanciful. It is entirely probable that at some time in the not too distant future faculty collective bargaining will be the statistical norm in American higher education. That certainly would be followed by intense pressure to organize the remaining minority. Whether or not such pressure would be successful is another matter. Some would argue that

there will continue to be so much diversity and rugged individualism in our institutions and in our professors that they could not be stamped into conformity; others contend that the pressures would be virtually irresistible.

Of the several factors that will determine the extent of the future growth of faculty collective bargaining, none will be as important as the experiences of those already unionized. Well-publicized successes obviously will spur union organizing campaigns on other campuses, gain dues-paying members, and whet the appetites of leaders and rank-and-file faculty members throughout higher education. There may be difficulties, however, in ascertaining what constitutes "successes" and in attributing them specifically to union activity. Consideration of these matters requires examination of the typical contracts negotiated by faculty unions.

The documents themselves vary considerably in length and detail, but all of them are concerned, to some degree, with these four issues: compensation (salaries, fringe benefits, annual increments), working conditions (teaching loads, sabbaticals, office hours), job security (tenure, academic freedom, promotion policies, grounds for termination), and grievance procedures (detailed descriptions of due process to be followed in the resolution of disputes).

Most public attention is focused on the compensation issue because it is relatively easy to understand and because of its presumed direct impact upon public appropriations or tuition rates charged individuals. These are not unimportant considerations, and recent studies of matched unionized and non-unionized campuses seem to confirm that faculty at the former have received somewhat higher percentage increases in salaries. The clear implication is that collective bargaining made the difference.



Over the long run, however, the successes of bread-and-butter unionism probably will not be as important as the impact of faculty collective bargaining on the governance of higher education. Despite the fact that this is a subject about which much has been written, it continues to be shrouded in folklore and mythology. Critics of faculty unionization often rhapsodize about "collegiality" and predict its demise with the advent of collective bargaining. Much depends upon definitions of terms, of course, but many critics may be nostalgic about what never was and may fear what will never be.

The governance of colleges and universities is not easily comprehended, even by many of those with long experience in higher education. To illustrate, virtually all institutions of higher learning have boards of trustees, presidents, chancellors, provosts, deans, a variety of other officers and administrators, and faculty members. Virtually all institutions of similar size and purpose could produce organizational charts that would appear remarkably similar. Rarely, however, would such charts reveal the true locus of power or the processes by which decisions emerge.

It is conventional wisdom for colleges and universities to insist that they operate on the basis of consensus, and that the faculty really "runs the show." The historical assumption has been that rational men and women (the faculty) collectively could and would make sound decisions, and that they neither needed nor would benefit from external supervision. Accordingly, the institutional chief executive typically held a faculty appointment (whether or not he actually taught a course) and, as primus inter pares, served as chairman of the faculty.

In simpler and probably more tranquil days, the assembled faculty tended to make all the major policy decisions and saw to their execution. The rapid growth and

increasing complexity of colleges and universities, especially in America during the past quarter century, have made it ever more difficult for this exercise in "direct democracy" to operate effectively.

Educational administration became increasingly onerous and time-consuming, and it came to demand expertise not usually possessed by the academics. Specialists were hired, chief executives began to assemble administrative staffs, and new bureaucracies were born. As institutions and their faculties grew, more and more of the running of the colleges and universities became the responsibility of "professional" administrators, many of whom had never earned advanced academic degrees and never conducted a class.

The authority of the faculty remained intact and unquestioned in the institutional charter, but its actual power was atrophying. Faculty meetings still were convened, but often they became little more than ceremonial occasions to confirm administrative decisions already made. As faculties became ever larger and hence more cumbersome, they created intermediate bodies such as senates or varieties of ad hoc and standing committees, presumably to act on behalf of full faculties and to do much of their work -- if such in fact needed doing. In time perhaps the most important function of senates was to represent the faculty in its dealings with what increasingly came to be perceived as a distant, powerful, and at times hostile entity called "the administration."

Evidence abounded that the institutional managers indeed were gaining power, probably at the expense of the faculty. Two examples are especially noteworthy: the administration's capture of financial affairs, and its close identification with, and influence upon, the institution's governing board of trustees. The former meant that the chief executive officer and his associates determined the allocation of resources

(including faculty salaries) through their control of the budgets, and that they assumed prime responsibility for securing institutional revenues. The latter was significant because the chief executive officer typically became a member of the board of trustees, its chief staff officer, and often its most influential member. The college or university president not only was primus inter pares in the faculty, but probably also in the trustee board; and his own survival depended far more upon the latter than the former.

What happened is quite clear. The faculty, which once was considered the heart of the institution and its collegial governor, now had become "employees," and the administrators, who once were perceived to be the faculty's housekeepers, had become "employers." Colleges and universities had kept their traditional structural trappings but in fact they had drifted into an industrial organizational model.

Another blow to traditional institutional governance also may have helped to bring on faculty collective bargaining. That was the dramatic and often disruptive series of student uprisings, especially in the latter half of the 1960's. Some observers contend that "student power" has been as important as "administration power" in impelling faculties to unionize defensively.

The student movement, it is pointed out, has led to academic consumerism, the virtual abolition of required courses, the partial substitution of peer review by student review, the erosion of faculty authority and prestige in the classroom and elsewhere, and the appointment of students to faculty committees and to boards of trustees. Unquestionably, many faculty members believe that they have lost to administrators the power to run their institutions, and that they have lost to students the power to control curricula and academic standards.

Under all these circumstances, the advent and rapid growth of faculty unionization and collective bargaining in higher education is not surprising. Assuredly, it has been perceived by many faculty members as an attempt to reassert authority and redress an imbalance of power. In those terms, it is not a "new" movement, but rather a systematic and almost nostalgic effort to return to days when the power of faculties was both de jure and de facto.

Will faculty collective bargaining really redistribute power in the academy, significantly alter the governance of colleges and universities, and result in a renaissance of faculty leadership? It still is too early for a definitive answer, but probably not.

In almost all cases, collective bargaining contracts do not change power relationships; they merely confirm what already exists and give it an aura of permanence by explicitly recording it in a binding document. It is true that contracts invariably place limitations upon, if not expressly prohibit, the arbitrary use of power by administrators, but they do not materially reduce "management rights." Rarely do contracts have significant impact on established institutional procedures respecting budgeting, the securing of revenues, or the allocation of resources.

Collective bargaining does tend to make explicit the adversarial roles of faculty and administration, but this may be useful in clearing the air and introducing realpolitik to the campus scene. The contracts mark the effective end to traditional collegial consensus, that sometimes mysterious process by which sweet reason purports to lead to amicable unanimity; in its place is legalistic and binding majority rule. This is more likely to lead to predictable and consistent decision making, and hence may serve to reduce insecurities and tensions.

But the basic reason that faculty collective bargaining will not significantly alter institutional power relationships in the future is the fact that the very circumstances that have bred unionization are not likely to disappear. American colleges and universities, with an ever smaller number of exceptions, have themselves become large and complex educational-industrial conglomerates. The traditional collegial model of government by faculty consensus simply will not work for such enterprises. For better or worse, among our endangered and virtually extinct species are the locally owned and managed corner grocery store, the one-room country schoolhouse, and the small and informally governed college; in their places we have vast supermarkets, consolidated regional schools served by scores of yellow buses, and multiversities. There is no real prospect of turning back.

Faculty collective bargaining simply will not return American higher education to some age of presumed innocence. Neither will it destroy our colleges and universities. What it may do is help us adjust to new realities. If all participants in the educational enterprise accept that fact and view it positively, the higher learning need not be diverted from, but can concentrate anew on, its threefold mission of service, research, and teaching.

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